

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

UNITED STATES OF AMERICA, and  
STATE OF MICHIGAN, ex rel SUSAN DAY,  
M.D.,

Case No. 1:17-cv-714

Plaintiff-Relator,

HON. PAUL L. MALONEY

v

SPECTRUM HEALTH MEDICAL GROUP,

Defendant

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**MOTION TO REASSIGN CASE NO. 1:18-cv-58**

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Defendant Spectrum Health Medical Group (“SHMG”) hereby moves this court for an Order, pursuant to W.D. Mich. LCivR. 3.3.1(d) and LCivR 3.3.1(g), reassigning Case No. 1:18-cv-58, *Susan Day, M.D. v. Spectrum Health Medical Group*, to U.S. District Court Judge Paul L. Maloney because it involves the same parties and arises out of the same events and occurrences as this matter, an earlier-filed case. The cases are therefore “related” under W.D. Mich. LCivR. 3.3.1(d)(iii)(A), and should be assigned to the same judge “having the related case earliest filed.” LCivR. 3.3.1(d)(iii)(B).

Procedurally, and pursuant to LCivR. 3.3.1(d)(iii)(B), SHMG requests that this motion be referred to Magistrate Judge Phillip J. Green for a determination that the two cases are “related,” and/or referred to Chief Judge Robert J. Jonker for entry of an order reassigning Case No. 1:18-cv-58 to Judge Maloney. This motion is based on the accompanying Brief in Support and attached exhibits.

Dated: February 15, 2018

s/Andrea J. Bernard  
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